

PETITION FOR ZONING VARIANCE 84-186-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3C.1 to permit a rear yard setback of 19' in lieu of 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The addition is for a breakfast room that can not be located on any other side of the present structure.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name) Paul LePage

Signature Mary K. LePage

Address Mary K. LePage

City and State

Attorney for Petitioner:

(Type or Print Name) 326 Dixie Drive (301)295-1529

Address Address Phone No.

City and State Towson, Maryland, 21204

Name, address and phone number of legal owner, contract purchaser or representative to be contacted (see Above)

Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of December, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 31 day of January, 1984, at 10:00 o'clock A.M.

Bellevue
Zoning Commissioner of Baltimore County.

(over)

Mr. & Mrs. Paul LePage
326 Dixie Drive
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 6th day of December, 1983.

ARNOLD JABLON
Zoning Commissioner

Received by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Petitioner Paul LePage, et ux
Petitioner's Attorney

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Dixie Dr., 215.95' W of : OF BALTIMORE COUNTY
Alabama Rd. (326 Dixie Drive), :
9th District

PAUL LePAGE, et ux, Petitioners Case No. 84-186-A
: : : : :
: : : : :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2198

I HEREBY CERTIFY that on this 5th day of January, 1984, a copy of the foregoing

Order was mailed to Mr. and Mrs. Paul LePage, 326 Dixie Drive, Towson, MD 21204, Petitioners.

John W. Hession, III

Zoning Discription

Beginning on the north side of Dixie Dr. 70 feet wide, at the distance of 215.95 feet west of the P.C.C. return on the southwest side of Alabama Road. Being Lot 12 and the easternmost 10' of lot 13, Block 16', as shown on the plat of Southland Hills, which plat is recorded among the land records of Baltimore County in Plat Book 12, Folio 30. Also known as 325 Dixie Drive.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: January 10, 1984

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

Paul LePage, et ux
SUBJECT: 84-186-A

There are no comprehensive planning factors requiring comment on this petition.

NEG/JGH/sf

Norman E. Gerber, Director
Office of Planning and Zoning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 12, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Paul LePage
326 Dixie Drive
Towson, Maryland 21204

RE: Item No. 130 - Case No. 84-186-A
Petitioner - Paul LePage, et ux
Variance Petition

Dear Mr. & Mrs. Paul Le Page:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:bcc

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

January 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #130 (1983-1984)
Property Owner: Paul & Mary K. LePage
N/S Dixie Dr. 215.95' W. of Alabama Road
Acres: 60/62 X 81.29/103
District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 130 (1983-1984).

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EWK:FWR:ss

N-W & O-W Key Sheets
37 NE & NW 1 Pos. Sheets
NE 10A Topo
70 Tax Map

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

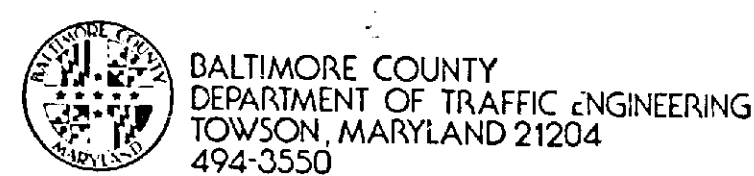
1. The herein petition is requested to permit the construction of an addition for a breakfast room that cannot be located at any other side of the residence.
2. The plan submitted indicates existing setbacks for the house, porch and garage, all built about 1940.
3. There were no Protestants appearing in opposition to the petition.
4. It appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioners and the granting of the variance requested will not adversely affect the health, safety, and general welfare of the community, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 2nd day of February, 1984, that the herein Petition for Variance to permit a rear yard setback of 19 feet in lieu of the required 30 feet is hereby GRANTED, from and after the date of this Order.

Jan M. H. Jung
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE February 2, 1984
BY May C. Jones (Clerk)
Baltimore County



STEPHEN E. COLLINS
DIRECTOR

January 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 125, 126, 128, 129, and 130 - ZAC - Meeting of December 6, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

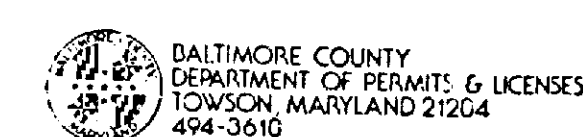
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 125, 126, 128, 129, and 130.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSP/ccm

Page 1 of 1
84-186-A



TED ZALISKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 130 Zoning Advisory Committee Meeting are as follows:

Property Owner: Paul & Mary K. LePage
Location: N/S Dixie Drive 215-95' W. of Alabama Road
Existing Zoning: R-1, 5-5
Proposed Zoning: Variance to permit a rear yard setback of 19' in lieu of the required 30'.

Acres: 60/62 x 81.29/103
District: 9th.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 ~~except for the following: for the purpose of this variance, the following items are exempted from the requirements of the Building Code: 1. The minimum rear yard setback shall be 19 feet in lieu of the required 30 feet. 2. The minimum side yard setback shall be 10 feet in lieu of the required 15 feet. 3. The minimum front yard setback shall be 10 feet in lieu of the required 15 feet. 4. The minimum rear lot coverage shall be 10% in lieu of the required 15%.~~ and other applicable Codes.
- X B. A building/ permit shall be required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 407 and Table 402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- X I. Comments - Plans for dormer shall show structural supports of existing dwelling are capable of supporting new loadings. Show framing sizes, spacing and grade and species where possible.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burdham
Charles E. Burdham, Chief
Plans Review

CEB:es



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

February 2, 1984

Mr. and Mrs. Paul LePage
326 Dixie Drive
Towson, Maryland 21204

RE: Petition for Variance
N/S Dixie Dr., 215-95' W of Alabama
Rd. (326 Dixie Dr.) - 9th Election
District
Paul LePage, et ux - Petitioners
NO. 84-186-A (Item No. 130)

Dear Mr. and Mrs. LePage:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Council

January 10, 1984

To whom it may concern:

I have examined the plans for the addition to 326 Dixie Drive. I realize there is a zoning requirement for a set-back of thirty feet and that the construction according to these plans will require a variance for a set-back of nineteen feet.

I have no objection to the issuance of this variance.

J.C. Mc
name

name

313 Haddon Rd.
address

PETITIONER'S
EXHIBIT 1

January 10, 1984

To whom it may concern:

I have examined the plans for the addition to 326 Dixie Drive. I realize there is a zoning requirement for a set-back of thirty feet and that the construction according to these plans will require a variance for a set-back of nineteen feet.

I have no objection to the issuance of this variance.

WETALLS
Wetalls
name

311 Alabama Rd
address
Towson

January 7, 1984

To whom it may concern:

I have examined the plans for the addition to 326 Dixie Drive. I realize there is a zoning requirement for a set-back of thirty feet and that the construction according to these plans will require a variance for a set-back of nineteen feet.

I have no objection to the issuance of this variance.

Robert McQuay
name

328 Dixie Drive
address

January 8, 1984

To whom it may concern:

I have examined the plans for the addition to 326 Dixie Drive. I realize there is a zoning requirement for a set-back of thirty feet and that the construction according to these plans will require a variance for a set-back of nineteen feet.

I have no objection to the issuance of this variance.

Wetalls
name

324 Dixie Dr
address

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance
 LOCATION: North side Dixie Drive, 215.95 ft. West of Alabama Road (326 Dixie Drive)
 DATE & TIME: Tuesday, January 31, 1984 at 10:00 A.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 19 ft. in lieu of 30 ft.

Being the property of Paul LePage, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

January 3, 1984

Mr. & Mrs. Paul LePage
 326 Dixie Drive
 Towson, Maryland 21204

NOTICE OF HEARING
 Re: Petition for Variance
 N/S Dixie Dr., 215.95' W of Alabama Rd.
 Paul LePage, et ux - Petitioners
 Case No. 84-186-A

TIME: 10:00 A.M.

DATE: Tuesday, January 31, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER

January 18, 1984

Mr. & Mrs. Paul LePage
 326 Dixie Drive
 Towson, Maryland 21204

Re: Petition for Variance
 N/S Dixie Dr., 215.95' W of Alabama Rd.
 Paul LePage, et ux - Petitioners
 Case No. 84-186-A

Dear Mr. & Mrs. LePage:

This is to advise you that \$38.76 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

ARNOLD JABLON
 Zoning Commissioner

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 24th Date of Posting: January 11-84
 Posted for: Variance
 Petitioner: Paul LePage, et ux
 Location of property: 326 Dixie Drive, 215.95' west of Alabama Road
 Location of Signs: With sign of Paul LePage, et ux at 326 Dixie Drive
 Remarks: [Signature]
 Posted by: [Signature] Date of return: Jan 21-84
 Number of Signs: 1

BALTIMORE COUNTY, MARYLAND No. 122945
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE: 1/28/83 ACCOUNT: R-01-615-000
 AMOUNT: \$35.00
 RECEIVED FROM: Paul LePage
 FOR: [Signature]
 0 064*****350045 F265A
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 124077
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE: 1-23-84 ACCOUNT: 01-615-000
 AMOUNT: \$38.76
 RECEIVED FROM: [Signature]
 FOR: 84-186-A - [Signature]
 0 042*****385010 6235A
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

Towson, Md. 1/20 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 1/18 day of Jan 1984.

The TOWSON TIMES
 Cost of Advertisement: \$17.76

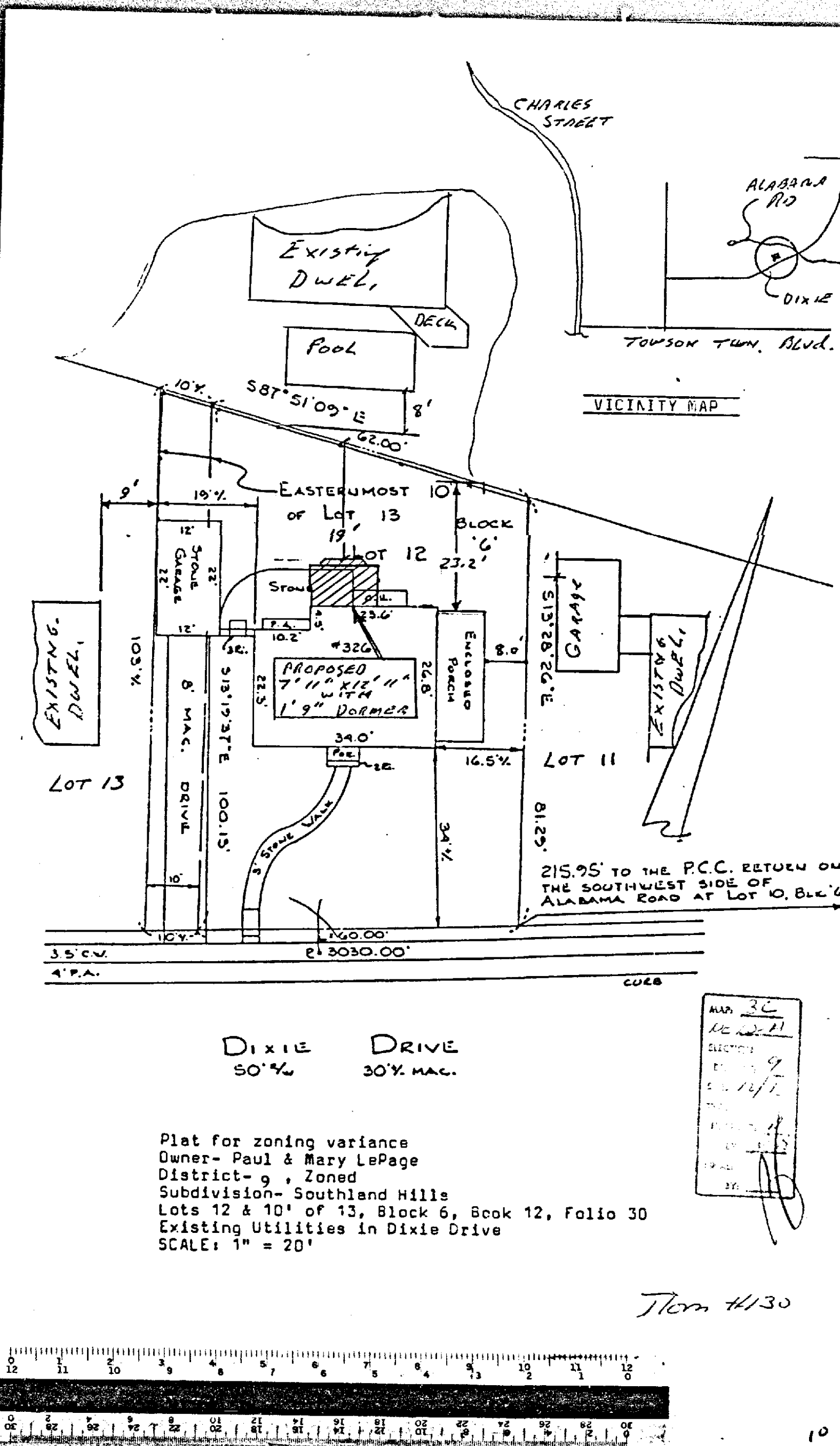
CERTIFICATE OF PUBLICATION

TOWSON, MD. January 12, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 12th day of January 1984.

THE JEFFERSONIAN
 Cost of Advertisement: \$14.00

PETITION FOR VARIANCE
 9th Election District
 LOCATION: North side Dixie Drive, 215.95' West of Alabama Road (326 Dixie Drive)
 DATE & TIME: Tuesday, January 31, 1984 at 10:00 A.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
 Petition for Variance to permit a rear yard setback of 19 ft. in lieu of 30 ft.
 Being the property of Paul LePage, et ux, as shown on plat plan filed with the Zoning Department.
 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
 BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY



DIXIE DRIVE
 50% 30% MAC.

Plat for zoning variance
 Owner: Paul & Mary LePage
 District: 9th Zoned
 Subdivision: Southland Hills
 Lots 12 & 13 of 13, Block 6, Book 12, Folio 30
 Existing Utilities in Dixie Drive
 SCALE: 1" = 20'

Tom 4/30